

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMES RUTIGLIANO,

Plaintiff,

-against-

**NOTICE OF MOTION**

07 Civ. 4614 (JSR)

CITY OF NEW YORK, MARIA VELEZ & JOHN &  
JANE DOES ## 1-4,

Defendants.  
-----X


**PLEASE TAKE NOTICE** that, upon the annexed Declaration of David M. Hazan, dated October 17, 2007; the accompanying Memorandum of Law in Support of Defendant Veliz's Motion to Dismiss the Complaint, dated October 17, 2007; and all the papers and proceedings had herein, the undersigned will move this Court, before the Honorable Jed S. Rakoff, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, Courtroom 14-B, New York, New York, on November 9, 2007 at 4:00 p.m., for an Order, pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, dismissing plaintiff's second amended complaint, with prejudice, and for such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that opposition papers, if any, shall be served on or before October 29, 2007.

**PLEASE TAKE FURTHER NOTICE** that reply papers, if any, shall be served on or before November 5, 2007.

Dated: New York, New York  
October 17, 2007

MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for Defendants City of New York and  
Maria Veliz  
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By:   
David M. Hazan (DH- 8611)  
Assistant Corporation Counsel  
Special Federal Litigation Division

TO: Gregory Antollino, Esq. (By Mail and ECF)  
Attorney for Plaintiff  
1123 Broadway, Suite 902  
New York, New York 11241

CC: Honorable Jed S. Rakoff (Via Hand Delivery and ECF)  
United States District Judge, SDNY  
United States District Court  
500 Pearl Street  
New York, New York 10007-1312

Docket No. 07 Civ. 4614 (JSR)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JAMES RUTIGLIANO,

Plaintiff,

-against-

CITY OF NEW YORK, MARIA VELEZ & JOHN  
& JANE DOES ## 1-4,

Defendants.

**NOTICE OF MOTION IN SUPPORT OF  
DEFENDANT MARIA VELIZ'S MOTION TO  
DISMISS**

*MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for Defendants City of New York and  
Maria Veliz  
100 Church Street, Room 3-186  
New York, N.Y. 10007*

*Of Counsel: David M. Hazan  
Tel: (212) 788-8084  
NYCLIS No.*

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 2007.*

*..... Esq.*

*Attorney for .....*